

## REMARKS

### REJECTIONS UNDER 35 USC 103

Claims 1, 49 and 51 were rejected as being obvious over Matsumura in view of Mukerjee. Applicant respectfully traverses the Examiner's rejection as noted in their Remarks of January 20, 2009. Applicant, however, has canceled Claim 1 and amended (now independent) Claim 49, to clearly distinguish the prior art. Applicant further canceled Claims 50-53 and added new Claims 54-60, which also clearly distinguish the prior art.

The Examiner has stated in the Office Action of May 21, 2009 (p. 4):  
Regarding claim 49, Mukerjee discloses "finding a block that best matches the block to be encoded, determining the best fractional pixel step, calculating a motion vector, using an algorithm to determine when to encode no motion vector, the vector by reference to a nearby vector, the vector directly, the vector as a difference vector, and transmitting the vector."

As stated above, Applicant respectfully disagrees with the Examiner's position, but has amended Claim 49 to recite that an algorithm is used to "select at least one motion vector from a predetermined set of prior coded blocks that are less than n blocks away from the current block where n is greater than 1." This step is not taught or suggested by Mukerjee or Matsumura.

Still further, Claim 49 has been amended to recite the step of "selecting a coding mode to encode the current block from a list of coding modes comprising at least the following choices:

- + not using a motion vector at all
- + using the motion vector of step a)
- + using a motion vector of step b)

Such a step is not taught or suggested by Mukerjee or Matsumura.

Still further, Claim 49 has been amended to recite the step of encoding and transmitting the said choice of coding mode from step c), and transmitting a motion vector from step a) only when it is the choice of coding mode selected to code the current block." These steps further distinguish Mukerjee or Matsumura.

Applicant submits that the each of the individual steps recited above – and certainly the combination thereof – is not taught, suggested or alluded to by Mukerjee, Matsumura or any combination thereof.

In light of the above amendment, which clearly distinguishes the prior art, Applicant believes that the Application is now in condition for allowance.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'T. Rotberg', with a stylized flourish at the end.

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